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Notice of Allowability	Application No.	Applicant(s)	
	10/642,680	INANAMI ET AL.	
	Examiner	Art Unit	
	Sun J. Lin	2825	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendments & Remarks filed on 11/03/2005.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|---|---|

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Applicants' attorney *Richard V. Burgujan* gave authorization for this examiner's amendment on January 18, 2006. The application has been amended, based on applicants' amendments filed on 11/03/3005, as follows:

Claim 1, line 5, change "first or second values" to **—a first value or a second value—**.

Claim 4, line 3, change "the correlation" to **—a correlation—**.

Claim 4, line 6 – 11, change "in case where two character patterns...is selected as the parameter; and" to **—in case where two character patterns are sequentially transferred, when a first deflection distance of the character beam deflected by the objective deflector and a second deflection distance resulting from converting a deflection distance of the charged particle beam deflected by the shaping deflector in accordance with the correction are compared with each other, a longer one of the first deflection distance and the second deflection distance is selected as the parameter; and—**.

Claim 8, line 5, change "first or second values" to **—a first value or a second value—**.

Claim 11, line 2, change "the correlation" to **—a correlation—**.

Claim 11, line 5 – 9, change "in case where two character patterns...is selected as the parameter; and" to **—in case where two character patterns are sequentially transferred, when a first deflection distance of the character beam deflected by the objective deflector and a second deflection distance resulting from converting a deflection distance of the charged particle beam deflected by the shaping deflector in accordance with the correction, are compared with each other, a longer one of the first deflection distance and the second deflection distance is selected as the parameter; and—**.

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Reasons for Allowance

Claims 1 – 25 are allowed over the prior art of record. An examiner's statement of reasons for allowance is given in the following:

Claims 1 – 25 are allowed because the prior art does not teach or fairly suggest the following subject matter regarding independent Claim 1 and Claim 8, as recited in argument on page 11 of the *Remarks* filed on 11/03/2005.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sun J. Lin whose telephone number is (571) 272 – 1899. The examiner can normally be reached on Monday to Friday from 10:00 AM to 7.00 PM.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1782.

Sun J. Lin
Patent Examiner
Art Unit 2825
January 18, 2006

A handwritten signature in black ink, appearing to read "James Sun", with a stylized flourish at the end.